

STATE OF CALIFORNIA  
ENVIRONMENTAL PROTECTION AGENCY  
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:	)	Docket No.SRPD 00/01
	)	NNS-2101
Alien Technology Corp.	)	Stipulation and Order
18410 Butterfield Blvd. Suite 150)	)	
Morgan Hill, California 95037	)	Health and Safety Code
	)	Section 25187
CAR 000 046 185	)	
	)	
Respondent.	)	
_____	)	

The State Department of Toxic Substances Control (Department) and Alien Technology Corporation (Respondent) enter into this Stipulation and Order (Order) and agree as follows:

1. A dispute exists regarding the following violation as noted in the Summary of Violation issued by the Department on September 5, 2000, a copy of which is attached as Exhibit A:

On or about December 29, 1999 Respondent did violate Health and Safety Code, section 25200.14(b) in that Respondent failed to submit a Phase I Environmental Assessment.

2. The parties wish to avoid the expense of further litigation and to ensure prompt action to achieve the Schedule for Compliance below.

3. Jurisdiction exists pursuant to Health and Safety Code (HSC) section 25187.

4. Respondent waives any right to a hearing in this matter.

5. This Order shall constitute full settlement of the violation alleged in the Enforcement Order, but does not limit the Department from taking appropriate enforcement action concerning other violations.

6. SCHEDULE FOR COMPLIANCE

6.1. Respondent submitted a Phase I Environmental Assessment (Phase I Checklist) with the Department as required by HSC section 25200.14(b)(1) and Title 22, California Code of Regulations, section 67450.7(a)(3) on October 2, 2000.

6.2. Respondent shall send two employees to attend the California Compliance School to complete hazardous waste training Modules I, II, III, IV and V. Respondent must submit, for both employees, Certificates of Satisfactory Completion issued by the California Compliance School, to the Department within 185 days of the effective date of this Order. The Certificates of Satisfactory Completion shall be submitted to:

Lawrence Wong, Section Chief  
Northern California Branch  
State Regulatory Programs Division  
Department of Toxic Substances Control  
700 Heinz Avenue, Suite 200  
Berkeley, California 94710-2721

PAYMENTS

7.1. Within 30 days of the effective date of this Order, Respondent shall pay the Department \$2,000 as reimbursement of the Department's enforcement costs. Respondent's check shall be made payable to Department of Toxic Substances Control, and shall identify the Respondent and Docket

Number as shown in the heading of this case. Respondent shall submit the payment together with a copy of this Order to:

Department of Toxic Substances Control  
Accounting Office  
P. O. Box 806  
Sacramento, California 95812-0806

A photocopy of the check shall be sent to:

Lawrence Wong, Section Chief  
Northern California Branch  
State Regulatory Programs Division  
Department of Toxic Substances Control  
700 Heinz Avenue, Suite 200  
Berkeley, California 94710-2721

If Respondent fails to make payment as provided above, Respondent agrees to pay interest at the rate established pursuant to HSC § 25360.1 and to pay all costs incurred by the Department in pursuing collection including attorney's fees.

7.2. If Respondent fails to submit the Certificates of Satisfactory Completion as required in Section 6.2 above, Respondent shall pay the Department an additional \$2,000.00 as penalty within 30 days after the expiration of the 185-day period. The payment of the additional \$2,000.00, together with a copy of this Order, shall be sent to:

Department of Toxic Substances Control  
Accounting Office  
P. O. Box 806  
Sacramento, California 95812-0806

A photocopy of the check shall be sent to:


Lawrence Wong, Section Chief  
Northern California Branch  
State Regulatory Programs Division  
Department of Toxic Substances Control  
700 Heinz Avenue, Suite 200

Berkeley, California 94710-2721

If Respondent fails to submit the Certificates of Satisfactory Completion and fails to make the additional payment as provided above, Respondent agrees to pay interest at the rate established pursuant to HSC § 25360.1 and to pay all costs incurred by the Department in pursuing collection including attorney's fees.

8. The effective date of this Order is the date it is signed by the Department.

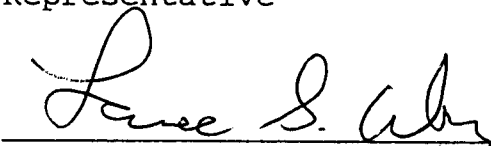
Dated: 2/15/01

  
Signature of Respondent's  
Representative

Dated: 2.15.01

Thomas L. Credelle / VP, Operations  
Typed or Printed Name and  
Title of Respondent's  
Representative

Dated: 2/26/01

  
Lawrence S. Wong, Section Chief  
Northern California Branch  
State Regulatory Programs Division  
Department of Toxic Substances  
Control